

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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LISA J. PRIESTER,
INDIVIDUALLY, AND AS
PERSONAL REPRESENTATIVE OF
THE ESTATE OF DAVID A.
PRIESTER, JR.,

Plaintiff : No. 2:14-CV--01108-DCN

vs.

FUTURAMIC TOOL &
ENGINEERING COMPANY; CAPITAL
WELDING, INC.; MCMASTER-CARR
SUPPLY COMPANY; AND INTEC
AUTOMATED CONTROLS, INC.,

Defendants

Deposition of: DARYL L. EBERSOLE, P.E.

Taken by : MARK H. WALL, Esquire

Before : JOYCE A. WISE, RMR

Date : February 19th, 2016

Place : Robson Forensics
354 North Prince Street
Lancaster, PA 17603

1 Q. Well, doesn't matter.

2 What do the brakes have to do with causing
3 Slider Number 2 not to extend?

4 A. The brakes were -- that were being added were
5 intended to release when the motors would run and engage
6 when the motors would stop.

7 Q. What did Slider -- what did the redundant brakes
8 do to cause Slider Number 2 not to fully extend on
9 March 18th?

10 A. The logic changes that they made affected the
11 control system. And there were parts of that that
12 controlled the brakes. And that part worked to hold the
13 brakes when the motor was not turning.

14 However, they did more than that. And it
15 removed safety aspects. And their work did not include
16 the commissioning to the design of the system.

17 Q. What caused Slider Number 2 not to come out on
18 March 18th? Was it mechanical or electrical?

19 A. It was caused by a communication loss.

20 Q. Was it mechanical or electrical?

21 A. It was electrical or part of the electrical
22 system.

23 Q. What in the electrical system did not function
24 properly to prevent Slider Number 2 from coming out on
25 March 18th?

1 A. The bit for starting the drive did not
2 effectively communicate to the drive and the system
3 design, which included communication loss, detection had
4 been effectively removed by the work that SAR had done,
5 such that it allowed the system to continue further.

6 There were manual changes that were made by SAR
7 that allowed sliders to continue while one would not
8 continue.

9 And, again, not having completed it to the
10 design, this allowed for sliders to go out and create a
11 partial work surface with a hole where Slider 2 should
12 have been.

13 Q. You're aware that Intec was down in Boeing
14 between March 26th and April 1 and found nothing improper
15 about the PLC, correct?

16 MR. DEAN: I object to the form of the question.

17 THE WITNESS: My understanding is that they
18 attempted to replicate the problem and they did not manage
19 to do that.

20 However, there was a precedent occurrence. And
21 regardless, communication loss can occur. The system was
22 designed to include it.

23 By SAR's actions, they effectively removed that
24 from the design.

25

1 BY MR. ROZELSKY:

2 Q. Yes.

3 A. Yes.

4 Q. Or as it relates to anything after Boeing --
5 after -- let me get the date -- after November the 23rd of
6 2012?

7 A. There was -- there was a commissioning that was
8 not completed, which resulted in the system not being
9 completed to the design, and this was a cause. As well as
10 there were modifications that related to the manual
11 control.

12 Q. And the modifications that were made to the
13 manual control, do you have an opinion as to why those had
14 an effect as to what happened on the night of this
15 incident?

16 A. Yes, that was part of it.

17 Q. Did you make a determination as to what was the
18 proximate cause of the failure of Slider 2 on the night of
19 the incident?

20 A. Well, at the time of the incident, Slider 2
21 failed to extend. The failure was a result of loss of
22 communications. And that was the initial reason the motor
23 didn't move.

24 There were missing -- things that were removed
25 from the design that resulted in this not failing in a

1 safe manner.

2 Q. And when you say not failing in a safe manner,
3 that is that any -- any changes to the sensors and/or
4 logic contributed or caused it to fail in an unsafe
5 manner?

6 MR. WALL: Object to the form of the question.

7 BY MR. ROZELSKY:

8 Q. Is that your opinion?

9 A. And the sensors you're referring to are those
10 for sensing the fuselage?

11 Q. Yes.

12 A. And whether they -- help me again with the way
13 you phrased that?

14 Q. Well, we've talked about the removal of the
15 sensors.

16 A. Yes.

17 Q. Correct?

18 A. Yes.

19 Q. And I believe you indicated that you -- once the
20 decision was made to remove the sensors, SAR, as the
21 re-manufacturer at that time, you believe had a duty and
22 obligation to warn Boeing, or at least inform Boeing of
23 the potential safety ramifications of removal of the
24 sensors?

25 MR. WALL: Object to the form of question.